

**IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF ILLINOIS
EASTERN DIVISION**

ABC International Inc.,

Plaintiff,

v.

GD Group USA Company d/b/a GD
Medical Inc., and Yong Zhang,

Defendants.

GD Group USA Company d/b/a GD
Medical Inc., and Yong Zhang,

Counter-Plaintiffs,

v.

ABC International, Inc.,

Counter-Defendant.

and

Eddie Ni,

Proposed Additional
Counter-Defendant.

Case No.: 1:20-cv-1579

Honorable Judge Robert M. Dow, Jr.

Magistrate Judge Gabriel A. Fuentes

STIPULATION OF DISMISSAL

Plaintiff, Defendants, and Proposed Additional Counter-Defendant file this stipulation of dismissal under Federal Rule of Civil Procedure 41(a)(1)(A)(ii).

1. Plaintiff is ABC International Inc., and Defendants are GD Group USA Company d/b/a GD Medical Inc., and Yong Zhang. Proposed Additional Counter-Defendant is Eddie Ni.

2. On March 4, 2020, Plaintiff sued Defendant.
3. Defendants have counter-claimed and filed a motion to add the Proposed Additional Counter-Defendant as an additional counter-claim defendant or third party defendant.
4. Proposed Additional Counter-Defendant has filed a motion to dismiss the proposed counter-claims or third party claims which Defendants filed against him. That motion is currently pending.
5. The Plaintiff, Defendant, and Proposed Additional Counter-Defendant to this action (collectively the “Parties,” each of them a “Party”) hereby stipulate that all claims, counter-claims, affirmative defenses, and proposed counter-claims or third party claims asserted in this case to date be and are dismissed without prejudice as set forth below, with the Parties to bear their own respective costs and attorneys’ fees.
6. This case is not a class action under Federal Rule of Civil Procedure 23, a derivative action under Federal Rule of Civil Procedure Rule 23.1, or an action related to an unincorporated association under Federal Rule of Civil Procedure Rule 23.2, and it is not governed by any federal statute that requires a court order for dismissal of the case.
7. No Party has previously dismissed any federal- or state-court action based on or including the same claims, affirmative defenses, counter-claims, or proposed counter-claims or third party claims presented in this case.
8. The above-stipulated dismissals are without prejudice, and with the Parties retaining the right to re-file their respective claims, affirmative defenses,

counter-claims, and proposed counter-claims or third party claims which had been asserted in this case. In the event of any such refiling, any limitations period or other deadline is tolled so as to permit the filing and assertion of each opposing Party's respective claims, affirmative defenses, counter-claims, or proposed counter-claims or third party claims, as the case may be, that are dismissed above by this Stipulation.

Respectfully submitted,

**ABC International, Inc.
and Eddie Ni**

**GD Group USA Company,
doing business and sued as
GD Medical, Inc.**

Yong Zhang

By: /s/ Darrell J. Graham

One of said Plaintiff's and
said Proposed Additional
Counter-Defendant's
Attorneys, on their behalf

By: /s/ Gregg I. Minkow

One of said Defendant's
Attorneys, on its behalf

By: /s/ Christopher E. Kentra

One of said Defendant's
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Dated: May 25, 2022

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CERTIFICATE OF SERVICE

I hereby certify that on this 25th day of May 2023, the above and foregoing was filed electronically with the Clerk of the Court using the CM/ECF system, which sent notification to all ECF registrants that are counsel of this record for this matter.

/s/ Darrell J. Graham